

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

**FILED**

**JUN 14 2018**

Clerk, U.S. District Court  
District Of Montana  
Missoula

UNITED STATES OF AMERICA,

CV 14-205-M-DWM

Plaintiff,

vs.

ORDER

PAUL A. MCCANN, MARY M.  
MCCANN, STATE OF MONTANA  
DEPARTMENT OF REVENUE, CITY  
OF MISSOULA, CMC  
CONSTRUCTION, COLLECTION  
BUREAU SERVICES, INC., and  
MONTANA LAND PROJECT, LLC,

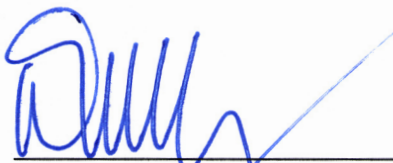
Defendants.

This case was filed in July 2014—almost four years ago, (*see* Compl., Doc. 1), and an Order of Foreclosure and Judicial Sale was entered in September 2016—almost two years ago, (*see* Doc. 56). Also in September 2016, judgment was entered in favor of the United States and against the McCanns. (Doc. 55.) Since that time, the United States has sought a stay of enforcing the Order of Foreclosure and Judicial Sale, initially giving the McCann's an opportunity for private sale, (*see* Doc. 56 at ¶ 12 (providing for a 9-month stay of sale)), and then delaying foreclosure in light of the McCanns' medical issues, (*see* Status Reports, Docs. 57, 59). Following the last status report of May 22, 2018, the Court

reviewed portions of the McCanns' medical records to determine how best to proceed. (*See* Docs. 60, 61.) While those records indicate the existence of medical issues, they provide little indication, if any, as to when this matter may be resolved. Based on this Court's September 1, 2016 Judgment, (Doc. 55), there are no matters remaining for adjudication.

Accordingly, IT IS ORDERED that paragraph 8 of the Order of Foreclosure and Judicial Sale (Doc. 56) is MODIFIED to remove the deadline requirement by which the McCann's must vacate the Subject Property. Pursuant to the September 1, 2016 Judgment (Doc. 55) the Clerk of Court is directed to close the case file. The United States has the discretion to enforce that Judgment pursuant to its rights and obligations outlined in the Order of Foreclosure and Judicial Sale. Absent a motion for further relief, the Court will take no further action in the case.

DATED this 14<sup>th</sup> day of June, 2018.



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Donald W. Molloy, District Judge  
United States District Court

